

DISTRICT ADVISORY BOARD MINUTES

DISTRICT I

November 3, 2003

7:00 p.m.

Atwater Community Center, 2755 E. 19th, Wichita, Kansas 67214

Members Present

Council Member Brewer
Rickie Coleman*
Gerald Domitrovic
Treatha Brown-Foster
Lacey Ganther*
Lois Tully-Gerber
Lori Lawrence
Debra K. Miller
Debby Moore
Sharon Myers*
Steve Roberts*
Celina Porter Robinson
James Thompson
Ken Woodard

Members Absent

Ti'Juana Hardwell*

Guest List

R. Patterson
Saretta Celestine Jones, 2621 N. Carmen
Edward E. Jones, 2621 N. Carmen
Alicia Dale (no address given)
Eileen Blasi, Crown Heights NA
Lee Lookingbill, Total Health Works
Dorothy Nave, 1802 Looman
Daryl Nikkel, 2888 N. Mead
Joan Hartig, 1756 S. Main
Glen Dey, 4515 Greenbriar
LaVonta Williams, 3928 Vesta
James Barfield, 1911 E. 21st Street
Carl Ligon, 1736 NE Parkway

Staff Present

Virdena Gilkey, Neighborhood Assistant
Officer Wallace, WPD
Randy Sparkman, OCI
Marty Miller, Finance
Bill Longnecker, Planning

*Denotes District Advisory Board Alternates

ORDER OF BUSINESS

Call to Order

Council Member Brewer called the meeting to order at 7:01 p.m. and welcomed the guest.

Approval of Minutes

The following corrections were recommended: **Lois Tully-Gerber** was not present and made no motions to adjourn. **Tully-Gerber (Moore)** motion to approve DAB I minutes as amended. Motion carried (6-0).

Approval of Agenda

Miller (Thompson) made a motion to approve the agenda. Motion carried unanimously. (6-0).

Porter Robinson arrived at 7:04 p.m., **Woodard** arrived at 7:05, and **Lacey Ganther** arrived at 7:08 p.m.

Public Agenda

1. McAdams Neighborhood Revitalization Plan

Ms. Saretta Jones stated that she was present to answer any questions the DAB members might have concerning the plan they had received the previous meeting. She said that the three areas for funding consideration are: 1) the Primary and Secondary Gateways - \$60,000;

2) the Concept Plan for the Phyllis Wheatley Home; and 3) the neighborhood park design and plan - \$15,000

(Ms. Jones response is in italics)

John Thompson asked what are the designated boundaries? *The boundaries are: Central to the south, 17th Street to the north, Mosley to the west, and Hydraulic to the east.* **Lori Lawrence** inquired about the necessity of a park when the McAdams Park is large and nearby. *The parents don't feel safe sending their children across 13th Street after dark. This park would be located south of 13th Street where the children would not have to cross that busy street to have somewhere to play.*

John Thompson (Porter Robinson) moved to support the McAdams Neighborhood Revitalization Project. Motion carried 8-0.

Recommended Action: Support the project.

2. Off-agenda items

No items submitted.

Staff Reports

3. Police Report

- a) **Officer Wallace** reported on the following items: 1) WPD is working with the Humane Society and PETA on the rash of dogs (pit bulls) that were dumped in Grove Park. Both have offered a \$175 reward for the arrest and conviction of those responsible. A total of 15 dead dogs have been found. Call 688-9500 if you have any information to report; 2) 1100 to 1400 North Piatt – a prostitution sting occurred resulting in six arrests; 3) working with the fraternity at 1700 N. Fairmount on noise issues cited by the neighborhood residents; 4) working with Animal Control and the Health Department on the anti-tethering law. Deadly force has been used on vicious dog attacks; 5) the YWCA and the Domestic Violence Section are now making contact with the victim within 24 hours after an incident. This is a new victims outreach program; and 6) WPD has begun taking applications for the Christmas Crusade Program.

(Officer Wallace's response in italics)

Tully-Gerber asked for clarification on the anti-tethering law and the deadly force used. *A couple of vicious animals have been shot and killed by officers as a result of attempted attacks.* **Lawrence** asked is this a result of the anti-tethering law? *This is a result of dogs jumping the fence and behaving deadly towards people. Shooting the dogs is a last resort measure and not a result of the anti-tethering law.* **Domitrovic** commented that he had suspected that there would be more stray dogs and a statistically significant increase in lost dogs due to open gates. He stated that the Health Department is a big help in this area. **Woodard** asked if the dead dogs found in Grove Park were all pit bulls? *Twelve of them were.* **Coleman** asked if it appeared as if someone had been fighting the dogs? *Yes. Usually by the time we receive the information that dogs are fighting, the people move the fight to a different location.* **Thompson** inquired if there is still a problem in Grove Park? *Not as big a problem as it was a month ago. Grove Park is the only area that we have heard*

about dead dogs being dumped. It is the citizens who find the dogs and make us aware of their location.

The board received and filed the report.

b) Wichita Police Department Professional Standards Bureau

Lt. Michael Allard presented information regarding the role of Professional Standards in the filing of complaints; the changes that have taken place over the past several years, and the statistical data on the complaints this year.

Lt. Allard explained that their mission is to support the efforts of the department to ensure that employees comply and work within the department's mission statement. Also to make sure this is done fair, complete, and impartial.

Lt. Allard further explained that they do the following: 1) educate citizens how to file a complaint and a compliment. Any citizen or department can file a complaint over the phone, e-mail or in a letter; 2) investigate suspected allegations of misconduct, which is a violation of department policy as it relates to the discharge of a fire arms, serious injury or death, damages, racial profiling, etc.; and 3) speak with the complainant in person. Complaints are recorded on tape, the incident is researched, and the employee is notified. All interviews are taped for recall purposes. A detailed report is submitted to Chief Williams and once completed, the results of the investigation are filed in our office.

Lt. Allard explained that CPR is a type of compliment that is sent out via the system. Staff sergeants recognize officers, through staff meetings, for outstanding service in various areas. Chief Williams looks at all compliments and complaints and reviews them. He has an open door policy; so if you hear things or see things, please let us know.

A study was conducted to study the current processes, citizen awareness, and police perception. As a result, Captain Zumalt leads this effort. Recommendations were made to improve the complaint and compliment process: 1) changed name of Internal Affairs to Professional Standards; 2) a new form was developed (placed on Intranet); 3) developed and implemented a standard investigative format; 4) developed a racial profiling complaint; 5) developed a tracking method to measure the time it takes to investigate an allegation; 6) assigned an administrative investigation number to each case; 7) implemented a new policy where employees are notified with results of complaint (citizens as well); 8) developed an educational program for internal/external persons; 9) encouraged supervisors to encourage complimentary behavior; 10) building trust to educate community – using professional data; 11) identifying skill deficiencies and recommending improvements; 12) conduct thorough monthly analysis; 13) added permanent sergeant and clerk; 14) going to neighborhoods; and 15) training employees how to handle complaints. A total of twenty-two changes have occurred in the past three years.

Statistical data revealed that as of October 2003, 168 internal and 104 external investigations were conducted. In 2001, 81 external and 132 internal investigations were conducted, which were 42 less investigations. In 2002, 813 citizens called to report the officers did great. Other statistical data was given in regards to internal and external CPR's.

Lt. Allard ended by stating that written feedback can be sent to Chief Norman Williams, City Hall, 455 North Main, Wichita, Kansas 67202.

(Lt. Allard's response is in italics)

Lori Lawrence asked for contact information. *You can reach me by phone at 268-4454 or call 268-4256 (Professional Standards). My e-mail address is mallard@wichita.gov.*

The board received and filed the report.

**4. Environmental Health
Massage Ordinance Revision**

Roger Smith, Environmental Health, was present to address questions on the proposed Massage Ordinance Revision. This item was deferred from the October

With no questions from the board, a vote was taken.

James Thompson (Porter Robinson) moved to approve the ordinance changes. Motion carried 8-0.

Recommended Action: The board recommended approval of revisions to Chapter 3.56 of the City Code.

5. Office of Central Inspection

Randy Sparkman presented an overview on the use of Portable Storage Containers including *Requested Amendments to Unified Zoning Code & Possible Licensing of Portable Storage Container Companies.*

Mr. Sparkman explained that in 2001, the utilization of steel storage boxes increased significantly outside smaller and larger businesses, which resulted in changes to the zoning code to allow storage containers. He referenced Wal-mart on north Rock Road as an example (they have 100 or more shipping containers at Christmas time).

He further stated that in "LC" zoning districts, limitations were put on how long and how many square feet of storage. Owners must notify OCI within 72 hours of placement on a form designed by OCI, which is tracked by an assigned number. Once the changes were adopted, education and approval forms, placement, and protocol were given to area businesses. After the educational training, OCI issued several violations to container providers. Additional training and meetings were setup by OCI to container providers as a result of the citations.

Exemptions considered for portable containers: 1) if not visible on an arterial street; 2) do away with 120 days time allowance; 3) exempt large retailers between September – December; 4) eliminate 72 hour notification requirement; and 5) agree to be licensed by the City as opposed to the 72 hour notification. The draft does not include any of the requests for exemption of larger retailers as the department felt this to be unfair.

Mr. Sparkman reviewed the zoning code amendments, which referenced the screening requirement and the recommended increase to the size of the storage area by 20%.

(Randy Sparkman's response is in italics)

Tully-Gerber inquired about the elimination of the temporary placement requirement, whether or not the changes were from OCI, and how the storage containers are shipped. *The recommendation is to take out the 120-day cycle in "LC" districts and to allow the containers to be stored around the clock if out of site or enclosed. The changes are not coming out of our office, but from the industry as a result of numerous citations issued. The containers come and go on large flatbed truck.* **Domitrovic** asked about the type of containers and whether or not trash is being dumped in these containers. *The containers are large storage containers that store byproducts. Trash is not dumped in these.* **Thompson** stated that the surrounding residents are concerned about the trash blowing and inquired if this method would resolve the trash concerns? *Some trash could still get away, however, with the screening and fencing the containers are not visible. Retailers still have to keep the areas clean.*

Darryl Nikkels, HOC Storage Systems, commented that they have worked closely with OCI and much compliance has been accomplished, as they want to be good citizens. Their business is inundated with calls from retailers needing storage containers, especially around the holiday season. He further explained that October and November are busy times for Christmas inventory. They are caught in the middle trying to comply with retail requests and comply with businesses. 85% of their business is to smaller businesses, where containers are placed in non-visual areas. Their main concern is providing service to those businesses that need it.

The board provided no additional comments. **Councilman Brewer** thanked Randy Sparkman and Darryl Nichols for presenting the information.

6. Office of Finance

Marty Miller, Grants Office, presented proposed changes to the neighborhood revitalization areas and the local investment areas as a part of the 5-Year HUD Plan. He explained that these changes are driven by the 2000 Census, which results became available last April 2003. The areas looked at are high levels of low/moderate income families, as well as, areas identified as having deteriorating structures. A task force was implemented to look at all factors (a map of the areas were color coded and shown to the DAB).

Mr. Miller explained that major changes have occurred in the Local Investment Area (LIA). To the west, Orchard Breeze has been deleted from the plan due to the past four years of improvements. Delano has been added as a new LIA for the west side. It is important that the downtown area remains revitalized. Planeview and Hilltop did not change. North Central, expansion 29th Street to the River and on the east, Broadway to Santa Fe (housing rehab). Northeast Heights has been deleted and Ken Mar and the Grove Park areas have been added.

(Marty Miller's response is in italics)

Tully-Gerber asked if the neighborhood associations have reviewed this and provided comment? *Yes, this occurred during the task force meetings. A statistical study has been done as well. The basis is the 2000 Census and we are not allowed to go outside of the low/moderate income levels. 185 Priority Need Surveys were sent out to neighborhood associations and non-profit groups (the DAB's were given this information as well).*

Thompson asked what was the determining factor to end at Central – areas south of 8th Street? *The programs are not limited to the LIA. Home repairs funding can be used outside of the blue area.* **Councilman Brewer** stated that the point Mr. Thompson was trying to make is that that is a low-income area that needs lots of attention.

Lacey Ganther left at 8:48 p.m. and **Celina Porter Robinson** left at 8:55 p.m.

Domitrovic asked for an explanation of the income levels and the McAdams Neighborhood Revitalization Plan and how the two are tied together. *An example would be a family of eight, which has an income under \$60,000. That would be considered low/moderate income. In reference to McAdams, the Planning Department is putting that together. In some instances, we will be hitting the same areas with different programs. The LIA will cover the streets, curbs, and gutters; the NRA will address the community facilities and the Paint Grant Program will provide assistance for the elderly. The McAdams area also qualifies for the revolving loan program for landlords. Planning, Public Works, and Parks are all working together.*

Saretta Celestine Jones, 2621 North Carmen, asked how the neighborhood associations could obtain more information on this? She commented that her area is predominantly senior citizens who want to remain in their homes, but cannot afford the upkeep of the property. *Part of the problem we face is how to get the information to those who need it most. We put information in the libraries, in public notices, etc.* Ms. Jones responded that when you look at the statistics, most people in that area don't own computers or receive newspapers. *We have \$400,000 in the Emergency Repair Program (covers furnace, fallen down porch, etc.), which is headed by Mike Hollimon, who will gladly come out and explain the programs.. People are frightened because they are asked to sign papers and feel that they will lose their homes. This loan is deferred until the house is sold or passes hands. We are looking for a program that material would be supplied and the labor would be provided for free.*

James Thompson commented that they went through this in his neighborhood and was told the only program available was the Paint Program. *That is correct. However, you do have Home Ownership 80 and the Home Improvement Loan in that area.* **Councilman Brewer** responded that the area is a low-income area with senior citizens and they need to be included. He asked how many dollars are left over at the end of the year for carry over? *That depends on the projects that, once completed, have allocated funds left over. For example, Grove Park equipment was purchased through remaining funds from another program.*

Charles McAfee, 933 Indiana, commented that he has worked with programs such as Project Amy and Project Carol, which allowed citizens to upgrade their homes and remain in their communities. The City could have assisted in maintaining the value of the home rather than spending \$5,000 to demolish. You won't find Black senior citizens willing to sign a loan note. There are so many vacant lots in the McAdams area. It would be nice to see creative financing engaged by maintaining those houses. If all the money spent to tear down the houses was added up, it would probably be substantial. Mr. McAfee asked where does the demolition funding come from? *A lot of houses take more than \$5,000 to bring up to code. Cost would be over \$5,000 to comply with the Lead Base Paint Law and another \$15,000 to \$20,000 to abate. Demolition funds are derived from the General Fund.* **Dorothy Nave, 1802 Looman**, stated that the grants do work and she personally obtained a \$10,000 grant from the City years ago when her husband was in Vietnam. It would be great if more grants were offered as opposed to loans. Especially for the low income families who cannot pay the money back period. **Roy Bobbitt, 511 North Ash**, asked if there are educational classes offered when persons apply for loans and qualify? *When the Housing Department enters into an agreement, before the paperwork is signed, the citizens are well informed of what they are agreeing to. It states, in the contract, that the loan is to be repaid when the property does not go to a relative or the house is sold.*

Councilman Brewer brought the discussion to a close.

James Thompson (Tully-Gerber) moved to receive and file. Motion carried 7-0.

Planning Agenda

7. CON2003-00038

The applicant requested a Conditional Use to allow outdoor vehicle and equipment sales at the northeast corner of Central and Piatt. Current zoning is “LC” Limited Commercial, which permits conditional use in the zoning.

Bill Longnecker, Planning, explained that the applicant is requesting a Conditional Use to allow outdoor vehicle and equipment sales on a 0.50-acre platted tract located at the northeast corner of Central and Piatt; 2014 E. Central. The subject property is zoned “LC” Limited Commercial and is developed with 5 bay door garage/office, used for vehicle repair, and a paved parking area with a chain link fence around the perimeter of the site. The vehicle repair shop, permitted by right, is leaving the site. Outdoor vehicle and equipment sales may be permitted with a Conditional Use in the “LC” Limited Commercial zoning district. He further stated that staff has recommended approval with conditions, which he noted numbers 4, 5, 11, and 13 in the report. MAPC approved this plan with the removal of #13 on October 23, 2003.

The board was concerned with the following: 1) another approval for a car lot would cause a “East Kellogg” appearance; 2) the type of signage that would be allowed once approved; 3) the extension of the car lot onto the sidewalk; 3) the car lot to the east of the property is still undeveloped; and 4) possible contamination of the site based on previous use as a car repair shop. Staff responded satisfactorily to all of the concerns.

Roy Bobbitt, 511 North Ash, spoke against the approval of this request. He stated that this business would further deteriorate the community in the long term, because the business would not be monitored properly. He cited 17th & Grove and 13th & Hydraulic as property that has not been maintained or car limits placed on these lots. Mr. Bobbitt added that the neighborhood has more important needs, such as, a grocery store.

The Board then moved to recommend approval of the recommendation. Motion passed 5-2 (**Miller, Thompson opposed**).

Unfinished Business

No items submitted

New Business

No items submitted

Board Agenda

8. Updates, Issues, and Reports

- a) **Debby Moore** reported that she had received a phone call where two mixed breed dogs had got loose and the Humane Society designated these dogs as pit bulls.
- b) **Debby Moore** also inquired about the RV Ordinance and asked if it prohibits the parking of school buses in neighborhoods. She stated that a yellow school bus has been parked in the 2700 block of 2nd Street for quite some time.

- c) **Gerald Domitrovic** commented that he approves of the McAdam Neighborhood Revitalization, but does not approve of the gateway expense.
- d) **Lois Tully-Gerber** asked about the Woodlawn issue. **Councilman Brewer** responded that this project will eventually happen, but it is the flooding issue that needs to be addressed immediately. Since the neighborhood did not want the improvement and were emotional about the trees, the flooding issue would be considered, but the street will not be widened. It was finally decided not to address the flooding issue and have to tear the work up five years later, so the money will be allocated to other projects.
- e) **Councilman Brewer** reported that the Central Corridor item would be on the City Council agenda the following day.
- f) **Councilman Brewer** announced the District 1 Coalition Breakfast, December 6, 2003, Cisro's Restaurant. He also announced the next DAB 1 meeting, December 1, 2003.

The board received and filed.

Being no further business, **James Thompson (Miller)** made a motion to adjourn. Motion carried 7-0.

The meeting adjourned at 10:05 p.m.

Respectfully Submitted By,

Virdena Gilkey
Neighborhood Assistant